

**IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

DENNIS GRIMES,

Petitioner,

v.

DONALD BARROW,

Respondent.

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CIVIL ACTION NO. 5:10-CV-386 (MTT)

ORDER

This matter is before the Court on the Petitioner's motion for leave to appeal in forma pauperis. (Doc. 20). The Magistrate Judge assigned to the case initially granted the Petitioner's motion to proceed in forma pauperis in the district-court action. On May 3, 2011, the Court entered an order granting the Defendant's motion to dismiss. (Doc. 17). The Petitioner now seeks to appeal that order.

Pursuant to 28 U.S.C. § 1915(a)(3), "[a]n appeal may not be taken in forma pauperis if the trial court certifies in writing that it is not taken in good faith." For the reasons set forth in the Court's order granting the Respondent's motion to dismiss, in the Court's best judgment, an appeal from that order cannot be taken in good faith. Accordingly, the Petitioner's motion for leave to appeal in forma pauperis is **DENIED**.

SO ORDERED, this 9th day of June, 2011.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT